

Service Date: March 8, 2001

FINAL ORDER NO. 6502

DEPARTMENT OF PUBLIC SERVICE REGULATION
MONTANA PUBLIC SERVICE COMMISSION
P.O. Box 202601
Helena, Montana 59620-2601

IN THE MATTER OF City of Helena,)	
Helena, Montana, Application for a)	Docket No. T-01.4.PCN
Montana Intrastate Certificate of Public)	Order No. 6502
Convenience and Necessity.)	

The Commission, being fully advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

1. On January 24, 2001, **City of Helena**, Helena, Montana, filed an application with the Montana Public Service Commission under Title 69, MCA, for a Certificate of Public Convenience and Necessity authorizing transportation of the following:

Class D - Garbage between the City of Helena Transfer Station and the Lewis and Clark County Class II Landfill licensed by the Montana Department of Environmental Quality and specified under the Interlocal Agreement for landfill use between Lewis and Clark County and City of Helena. LIMITATIONS: 1) Transportation is limited to transfer trailers. 2) Collection and/or pickup of garbage outside the city limits of Helena is not authorized.

2. In accordance with Section 69-23-321, MCA, this matter was noticed to the public February 9, 2001. That notice said in pertinent part:

If no written protests are received by March 1, 2001, a hearing may not be held and a final order may be issued in this Docket. If a protest is received, a hearing will be scheduled. Individual notice of the hearing will be given only to Protestants and Applicant.

The application included an affidavit of support.

3. No protests or responses of any kind were received.

4. The record of this application is available for inspection at the Public Service Commission Office, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana 59620-2601.

CONCLUSIONS OF LAW

1. The Montana Public Service Commission properly exercises jurisdiction over the parties and subject matter in this proceeding.

2. The Commission afforded all parties interested in this proceeding proper notice and an opportunity to participate.

3. Public Convenience and Necessity require a grant of the authority sought by the Applicant.

ORDER

NOW THEREFORE, at a session of the Public Service Commission, Department of Public Service Regulation of the State of Montana, held in its offices at 1701 Prospect Avenue, Helena, Montana, on Monday, the 5th day of March, 2001, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and

things in Docket No. T-01.4.PCN, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of **City of Helena**, Helena, Montana, for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent:

Class D - Garbage between the City of Helena Transfer Station and the Lewis and Clark County Class II Landfill licensed by the Montana Department of Environmental Quality and specified under the Interlocal Agreement for landfill use between Lewis and Clark County and City of Helena. LIMITATIONS: 1) Transportation is limited to transfer trailers. 2) Collection and/or pickup of garbage outside the city limits of Helena is not authorized.

IT IS FURTHER ORDERED that a full, true, and correct copy of this order be sent forthwith by first class mail to the applicant.

THE FOREGOING ORDER was adopted by the Department of Public Service Regulation of the State of Montana, Public Service Commission, IN OPEN SESSION at Helena, Montana, this 5th day of March, 2001, by a vote of 5-0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

GARY FELAND, Chairman

JAY STOVALL, Vice Chairman

BOB ANDERSON, Commissioner

MATT BRAINARD, Commissioner

BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Final Order issued in Docket T-01.4.PCN in the matter of **City of Helena**, Helena, Montana has today been sent to all parties listed.

MAILING DATE: March 8, 2001

FOR THE COMMISSION

FIRST CLASS MAIL

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AS ITS INTERESTS MAY APPEAR:

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